

## CHAPTER 17.48 RESIDENTIAL R-M ZONE

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### 17.48.010 PURPOSE

The Residential R-M (Multiple Family Residential) Zone may be cited as the “R-M Zone” and is established to provide for higher density residential developments such as condominiums and Planned Unit Developments (PUD). The dwelling density of each R-M Zone is indicated on the Official Zoning Map with a numerical suffix as described in Section 17.48.070 below.

### 17.48.020 PERMITTED USES

The following uses may be conducted in the R-M Zone as limited herein.

Single family dwelling, detached, maximum one per lot or parcel

Multiple family dwellings in minimum 10 acre development

Residential accessory buildings the footprints of which do not exceed the footprint area of the dwelling

Residential accessory uses

Household pets not exceeding 2 per species over the age of 4 months per dwelling

Home occupations according to City ordinances

Residential facility for disabled or elderly persons as required by State law

#### 17.48.030      CONDITIONAL USES

A conditional use permit may be issued for the following uses in the R-M Zone.

Household pets, maximum 1 additional per dwelling regardless of species

Religious activities

Educational activities

Group day care facility on minimum 1 acre lot

Golf courses

Parks and recreational activities

Public facilities

Condominium

Residential planned unit development (P.U.D.)

Retail or office uses on main building level with upper level residential in a P.U.D.

Assisted living centers, maximum 2 stories

Care centers, maximum 2 stories

#### 17.48.040      USE REGULATIONS

Uses may be conducted in the R-M Zone only in accordance with the following regulations.

1. Only allowed permitted, conditional or accessory uses as set forth in this Chapter may be conducted in the R-M Zone. A conditional use permit must be obtained prior to the establishment of a conditional use.
2. Accessory uses may be conducted in the R-M Zone only in conjunction with allowed permitted and conditional uses. Accessory uses include, but are not limited to caretakers, nurses, nannies, maids, garages, sheds, swimming pools, recreational equipment, gardens, greenhouses and other structures and activities which are incidental and subordinate to the principal permitted or conditional use on the premises.
3. There shall be no open storage of trash, debris, used materials or commercial goods or wrecked or neglected materials, equipment or vehicles in the R-M Zone.
4. It shall be unlawful to park, store, or leave, or to permit the parking, storing or leaving of any vehicle of any kind or part(s) thereof, which is in a wrecked, junked, dismantled, inoperative or abandoned condition, whether attended or not, upon any private or public property within the R-M Zone for longer than seventy-two (72) hours, except that up to two (2) such vehicles or parts thereof may be stored completely within an enclosed building or within an opaque fence enclosure which is completely screened from view of public streets and neighboring properties.
5. No commercial vehicle or commercial earth moving or material handling equipment shall be parked or stored on any lot or parcel in the R-M Zone except in conjunction with temporary development or construction activities on the lot. Commercial vehicles shall include semi trucks and trailers, trucks and trailers equaling or exceeding 8,000 lb. curb weight, delivery vehicles, dump trucks, back hoes, graders, loaders, farm implements, cement trucks, bulldozers, belly dumps and scrapers, forklifts or any similar vehicle or apparatus.

6. Water craft, trailers, campers, motor homes and other utility or recreational vehicles shall be stored within lawfully constructed buildings or behind the front line of the main building on the lot or parcel in an R-M Zone except that said vehicles may be stored temporarily in front or street side yards for no longer than 72 hours. Recreational and utility vehicles may be stored permanently in the street side yard of a corner lot only if stored completely behind the front line of the main building and at least 8 feet from the street right-of-way line and if enclosed with a 6 foot high solid vinyl or masonry fence. Travel trailers, campers and motor homes may not be occupied as living quarters in the R-M Zone except that a vehicle owned by a guest of the resident may be stored and occupied in the required front yard or side yard of the permanent dwelling for no more than 7 days per calendar year.

#### 17.48.050 DEVELOPMENT REVIEW

Uses proposed in R-M Zones may only be established in conformance with development review procedures of the City. Applicants shall follow the procedures and requirements of the South Jordan Municipal Code regarding development review in the preparation and review of development proposals in R-M Zones. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the City except as allowed under Utah State law. Condominiums and planned unit developments (P.U.D.'s) may be developed with approval of a conditional use permit in accordance with State law and City ordinances. A P.U.D. is a subdivision in which certain zoning and subdivision requirements are modified or waived in exchange for enhanced development criteria.

#### 17.48.060 LOT AREA

The minimum area of any single family lot in R-M Zones shall be 10,000 square feet except where otherwise approved with a conditional use permit for a P.U.D. or condominium development. Every portion of a parcel being subdivided or recorded as a condominium shall be included as a lot or lots in the proposed subdivision plat or as common, limited common or private ownership area in a condominium.

#### 17.48.070 DWELLING DENSITY

The maximum gross density (dwelling units per acre) in R-M Zones shall be as follows:

ZONE	DU/ACRE
R-M 4	4
R-M 5	5
R-M 6	6
R-M 7	7
R-M 8	8

#### 17.48.080 LOT WIDTH AND FRONTAGE

No minimum lot width is required for lots in the R-M Zones. Each lot or parcel in R-M Zones, except in condominiums and P.U.D.'s, shall abut the right-of-way line of a public street a minimum distance of 90 feet except that lots with side property lines which diverge at an angle of at least 20 degrees shall abut the right-of-way a minimum distance of 50 feet.

#### 17.48.090 PRIOR CREATED LOTS

Lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the establishment of an R-M Zone shall not be denied a building permit solely for reason of nonconformance with the requirements of this Chapter.

#### 17.48.100 LOT COVERAGE

A maximum of 60% of the area of a lot or condominium private ownership area in R-M Zones may be covered by buildings.

#### 17.48.110 YARD REQUIREMENTS-MAIN AND ACCESSORY BUILDINGS

The following yard requirements shall apply in R-M Zones unless otherwise approved with a conditional use permit for a condominium or P.U.D. Minimum yard areas are measured from the corresponding front, side and rear property lines of lots or from the boundaries of private ownership areas in condominiums. A zoning permit shall be obtained prior to the construction of any accessory building for which a building permit is not required. An application form, lot plan showing streets, existing buildings, dimensions, easements and setbacks of the proposed accessory building and other information as needed shall be submitted for review.

1. Minimum yard requirements for main buildings are as follows:
  - a) Front yard, interior and corner lots: 30 feet.
  - b) Front yard, cul-de-sac lot adjacent to turnaround: 25 feet
  - c) Side yard, interior lots: 10 feet.
  - d) Side yard, corner lots: 10 feet on the side adjoining another lot, 30 feet on the side adjoining the street
  - e) Rear yard, interior lot: 25 feet.
  - f) Rear yard, corner lot: 10 feet.
2. Minimum yard requirements for accessory buildings are as follows:
  - a) Accessory buildings may not be located between a street and the front or side building line of a main building.
  - b) Side yard accessory building. An accessory building may be located in a side yard no closer than 10 feet from the side property line or boundary and no closer than 6 feet from the dwelling or main building.

- c) Street side yard accessory building-corner lot. An accessory building may be located between a street and the side of the dwelling or main building on a corner lot but not within the required minimum main building side yard and no closer than 6 feet from the dwelling or main building.
  - d) Rear yard accessory building. An accessory building may be located in a rear yard no closer than 6 feet from the dwelling or main building and no closer than 3 feet from the side or rear property line or boundary except as required in (e) below.
  - e) The minimum setback from property lines or boundaries for accessory buildings or structures exceeding 16 feet in height shall be increased by 1 foot for each foot of building height in excess of 16 feet.
3. All buildings shall be separated by a minimum distance of 6 feet.

#### 17.48.120 PROJECTIONS INTO YARDS

The following may be erected on or projected into any required yard space in R-M Zones.

- 1. Fences and walls in conformance with City Ordinances.
- 2. Agricultural crops and landscape elements including trees, shrubs and other plants.
- 3. Utility or irrigation equipment or facilities.
- 4. Decks not more than 2 feet in height.
- 5. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks or similar architectural features attached to the building extending not more than 2 feet into a side yard or 4 feet into a front or rear yard.
- 6. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building not exceeding 8 feet wide and extending not more than 2 feet into a side yard or 4 feet into a front or rear yard.

#### 17.48.130 PARKING AND ACCESS

Parking areas and vehicle access in Residential Zones shall meet requirements of Chapter 16.26 of the South Jordan Municipal Code. Recreational vehicle parking in multiple family, condominium or P.U.D. developments shall only be provided in a screened area designated for such parking.

#### 17.48.140 FENCING, SCREENING AND CLEAR VISION

The following fencing, screening and clear vision requirements shall apply in R-M Zones. A permit shall be obtained from the Community Development Department prior to construction of any fence in the R-M Zone. An application form and the location, height and description of the proposed fence shall be submitted for review.

1. Utility screening. In non-single family residential developments requiring conditional use approval in R-M Zones, all mechanical equipment, antennas (where possible), loading and utility areas and trash receptacles shall be screened from view with architectural features or walls consistent with materials used in the associated buildings.
2. Incompatible land use screening. Incompatible land uses including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as determined with development approval.
3. Rear and side yard fencing. A maximum 6 foot high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.
4. Front yard fencing. A maximum 4 foot high, non-visually obscuring decorative wrought iron, simulated wrought iron or vinyl fence may be constructed along a side lot line to the right-of-way line or sidewalk of a neighborhood street except as regulated in clear vision areas. A masonry or solid vinyl fence or hedge may also be used along side lot lines to the right-of-way or sidewalk but may not exceed 3 feet in height. Only a maximum 4 foot high decorative wrought iron or simulated wrought iron fence may be constructed between a dwelling and the front lot line or sidewalk adjoining a collector street. Brick pillars may be used as an alternative to metal fence posts. Brick pillars may not exceed 18 inches square or be closer than 8 feet on center. Posts or pillars may not extend higher than 4 inches above the 4 foot fence panel.
5. Clear vision. Landscape materials, except for mature trees which are pruned at least 7 feet above the ground, and fences shall not exceed 2 feet in height within a 10 foot triangular area formed by the edge of a driveway and the street right-of-way line or within a 30 foot triangular area formed by the right-of-way lines of intersecting streets.
6. Collector street fencing. Any single family residential rear or side yard fence erected or maintained roughly parallel to and within 20 feet of a collector or arterial street right-of-way in R-M Zones shall be constructed according to standards found in Section 16.04.200 of Title 16 of the Municipal Code.

#### 17.48.150 ARCHITECTURAL STANDARDS

The following exterior materials and architectural standards are required in R-M Zones.

1. Each dwelling in R-M Zones shall be constructed with brick or stone in the minimum amount of 2' times (x) perimeter of the foundation (including garage). Detached dwellings shall be constructed with a minimum 6:12 roof pitch and a minimum 2-car garage (min. 22' x 22') for each single family dwelling unit. Attached dwellings shall be constructed with a minimum 10:12 roof pitch and a minimum one car garage (min. 12' x 22') per dwelling unit.
2. All building materials shall be high quality, durable and low maintenance.
3. All facades of multi-family dwellings containing 4 units or more shall receive similar design treatment. Architecture of multi-family dwellings is subject to the review and approval of the City.

4. Signs shall meet requirements of Chapter 16.36 of the Municipal Code and shall be constructed of materials which are consistent with the buildings which they identify.
5. The minimum total floor area, finished and unfinished, of any single family dwelling in R-M Zones shall be 2400 square feet. The minimum total floor area of each unit in a two-family or multi-family dwelling shall be 1400 square feet.
6. Main buildings in R-M Zones may not exceed 35 feet in height. Accessory buildings may not exceed 25 feet in height.
7. The exteriors of all multi-family dwellings shall be properly maintained by the owners.
8. Attached garages on single family residential corner lots may be located on the interior side of the lot or on the street side of the lot only if the garage is accessed directly from the side street.

#### 17.48.160 LANDSCAPING AND OPEN SPACE

1. The front and street side yards of single family lots shall be landscaped and properly maintained with lawn or other acceptable plant material unless otherwise approved with a conditional use permit.
2. The minimum gross land area of a P.U.D., condominium or multi-family residential development to be preserved as open space in R-M Zones shall be as follows:

Zone	Required Open Space
R-M 4	12%
R-M 5	14%
R-M 6	16%
R-M 7	18%
R-M 8	20%

The open space, if not dedicated to the City, will be labeled and recorded as a lot or lots in a subdivision, as common area in a condominium or as a perpetual open space easement to be jointly owned and properly maintained as open space and/or recreation by an owners' association with power to assess and collect fees for maintenance or other assessment and maintenance mechanisms acceptable to the City. Required yard areas may not be counted as open space. The City may determine the location of open space in consideration of topography, drainage or other land features. Open space shall include recreational improvements such as play courts, swimming pools, tot lots, picnic areas and walking paths. The City may determine the acceptability of proposed recreational amenities before a site plan, plat or condominium is approved. The City may require a cash bond to guarantee installation of the open space improvements. All open spaces shall be preserved and properly maintained by the owners.

3. All areas of developments not approved for parking, buildings, recreation facilities, access or other hard surfacing or otherwise exempted with development approval, shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development.
4. In P.U.D., condominium, multi-family and non-residential developments, a minimum of one tree per 1000 square feet, or part thereof, of landscaped common areas, excluding landscaped sports or play areas, is required. A minimum of 30% of required trees shall be minimum 7' evergreens. Deciduous trees shall be minimum 2" caliper. Deciduous and evergreen trees need not be equally spaced except as required in parking areas and in park strips but shall be distributed throughout the required yard areas on the site.
5. All collector street and other public and private park strips in R-M Zones shall be improved and maintained by the adjoining owners according to specifications adopted by the City unless otherwise allowed with development approval.
6. Required trees may not be topped nor may any required landscape material be removed in R-M Zones without City approval. Any dead plant material shall be replaced in accordance with the requirements of this Chapter and the conditions of site plan or plat approval.
7. In multi-family and non-residential developments in R-M Zones, the following landscaping requirements shall apply.
  - a.) Curbed planters with 2" or larger caliper shade trees and grass, shrubs or groundcover shall be installed at the ends of parking rows. Said planters shall be at least 5' wide.
  - b.) Minimum 5' landscaped planters shall be provided along street sides of building foundations except at building entrances.
  - c.) All landscaped areas shall be curbed.
8. Developments which are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights-of-way in the landscaping of the project and the urban trails system. Any areas so included and perpetually preserved may be counted toward required open space for the development. If approved by the City Engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners. Waterways may not be altered without approval of any entity or agency having jurisdiction over said waterways.
9. All required landscaping in yard areas and open spaces shall be installed (or escrowed on a case by case basis) prior to occupancy.
10. All landscaped areas, including adjoining public right-of-way areas not maintained by the City, shall be properly irrigated and maintained by the owners.

#### 17.48.170 LIGHTING

The following lighting requirements shall apply in R-M Zones.

1. A lighting plan shall be submitted with all new developments in R-M Zones. Where required by the City, lighting shall be shielded to prevent glare on adjacent agricultural and residential properties.



2. Lighting fixtures on private property shall be architectural grade and consistent with the architectural theme of the development.
3. Lighting fixtures on public property shall be architectural grade. A single street light type, approved by the City Council and City Engineer, will be used on the same street.

#### 17.48.180 PLANNED UNIT DEVELOPMENT AND CONDOMINIUM

As used in this Chapter, Planned Unit Development (P.U.D.) and Condominium shall mean any residential development in the R-M Zone approved by the City which meets the following criteria.

1. A P.U.D. or condominium may be allowed only with a conditional use permit in the R-M Zone. Uses allowed in a P.U.D. or condominium shall be the same as those allowed in the R-M Zone.
2. Each P.U.D. or condominium shall contain a minimum of 10 acres.
3. The maximum gross residential density in a P.U.D. or condominium shall be as provided in Section 12.48.070 of this Chapter.
4. The minimum area, yard, width, frontage and other dimensional requirements of the R-M Zone may be altered in a P.U.D. or condominium.
5. Architectural standards of this Chapter for dwellings in the RM Zone may be altered in P.U.D.'s and Condominiums provided that the proposed architectural style and design of the dwellings clearly surpasses and is unique to that of other dwellings in neighboring residential developments.

#### 17.48.190 OTHER REQUIREMENTS

The following requirements shall apply in R-M Zones.

1. Developers of condominium or P.U.D. projects shall submit a proposed declaration of covenants to the City Attorney for review, including, if requested by the City Attorney, an opinion of legal counsel licensed to practice law in Utah, that the condominium or P.U.D. meets requirements of Utah State law, and record the covenants with the condominium or P.U.D. plat for the project.
2. All improvements in P.U.D.'s and other developments, including buildings, open space, recreational facilities, roads, fences, utilities, landscaping, walkways, street lights and signs not specifically dedicated to the City or accepted for ownership or maintenance by the City shall be perpetually owned by the owners and maintained by the owners or their agents through a special taxing district or owners association with power to assess and collect fees for maintenance or other assessment and maintenance mechanisms acceptable to the City.
3. All developments shall be graded according to the City's engineering and building requirements to provide adequate drainage. Buildings shall be equipped with facilities for the discharge of all roof drainage onto the subject lot or parcel.

4. All private areas of lots or parcels shall be properly maintained by the owners.
5. A project phasing plan shall be submitted for review at the time of plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the City.